

REMARKS

This responds to the Office Action mailed on September 1, 2004.

Claims 35, 36 and 39-41 are canceled. As a result, claims 1-34, 38 and 42-51 are now pending in this application.

§102 Rejection of the Claims

Claims 35, 36 and 39-41 were rejected under 35 USC § 102(b) as being anticipated by Nakazato et al. (U.S. Patent No. 5,718,628). These claims have been cancelled solely to cost efficiently move the case toward issuance. Applicant does not agree that the claims are anticipated, and in particular does not believe that the means elements of claim 35 have been properly interpreted in light of 35 USC § 112(6).

Allowable Subject Matter

Claims 1-34, 38 and 42-51 were indicated to be allowable. Since all other claims have been cancelled, the application is believed in condition for allowance.

AMENDMENT AND RESPONSE UNDER 37 CFR § 1.116 – EXPEDITED PROCEDURE

Serial Number: 10/660,943

Filing Date: September 12, 2003

Title: INTELLIGENT NETWORKED FAN ASSISTED TILES FOR ADAPTIVE THERMAL MANAGEMENT OF THERMALLY SENSITIVE ROOMS

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Dkt: 1795.001US1

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop AF, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 21 day of October, 2004.

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